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NOTE VERBALE DATED 8 JULY 1991 FROM THE PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Norway to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to paragraph 4 in resolution 700 (1991) of the Security Council, has the honour to inform the Secretary-General of the following:

Norwegian laws and regulations fully meet the obligations set out in resolution 687 (1991), including paragraph 24, as well as previous mandatory decisions by the Council. The Guidelines adopted by Security Council resolution 700 (1991) fall within the scope of the Norwegian legislation.

Act No. 4 of 7 June 1947 relating to the implementation of mandatory decisions by the United Nations Security Council empowers the King in Council to adopt regulations in order to implement such decisions. Regulations adopted concerning the implementation of Security Council resolution 687 (1991) took effect on 8 April 1991. The relevant section of the regulations reads as follows:

> "It is prohibited for any person on Norwegian territory, and for any Norwegian national, enterprise, company, foundation or association, regardless of its whereabouts, to sell, supply or by any other means convey commodities or products of any kind, including weapons and other military equipment as well as technology and services for military purposes, regardless of their country of origin, to Iraq.
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> The prohibition set out in the first paragraph also applies to the sale, transport or conveyance by other means of commodities or products to any natural or legal person acting on behalf of any business carried on in or operated from Iraq.
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> The prohibition of transport set out in the first and second paragraphs applies to ships, aircraft and motor vehicles registered in Norway or managed or otherwise at the disposal of any Norwegian national, company or association."

Norway has implemented mandatory decisions by the Security Council by means of prohibition legislation using imprisonment, fines or both as penalties. In addition, objects which have been exported or have been attempted to be exported may be confiscated by court order irrespective of ownership and without the institution of criminal proceedings. If confiscation does not prove possible, the court may order the offender to pay an amount equivalent to the partial or entire value of the objects without instituting criminal proceedings. The same applies to any means of payment or securities employed in contravention of any provisions issued pursuant to the act relating to the implementation of mandatory decisions by the Security Council. The practical control of import of commodities and products is carried out by the customs and police authorities. The final adjudication lies with the courts if the public prosecution authority finds that there is adequate reason to suspect that an offence has been committed under the prohibition legislation.

The Norwegian legislation applies to anyone who wilfully or negligently violates the legislation or is an accessory thereto. Any attempt to commit a felony is also punishable.

In addition to the special regulations which have been adopted in connection with the sanctions against Iraq, Norway has comprehensive legislation concerning export controls on weapons and military equipment as well as technology and services for military purposes. This legislation includes a specific act relating to the control of strategic goods, services and technology, with appurtenant regulations. This act also contains penalty clauses with imprisonment, fines or both as penalties.

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